

LAW OFFICE OF CARL GIORDANO, PA
210 Route 4East, Suite 103 | Paramus, NJ 07652 | TELEPHONE: (201) 421 0865

RECEIVED
CENTRAL FAX CENTER

November 8, 2009

NOV 09 2009

CONFIDENTIAL

TO: D. Brown

FAX #: 571 273 8300

GROUP ART UNIT: 2446

ADDRESS: U.S. Patent and Trademark Office

P.O. Box 1450, Alexandria, VA 22313-1450

EXAMINER PHONE: 571 272 1559

Attorney docket no. CN 020017 US

Application Serial No. 10/535, 637

Filed November 23, 2005

Entitled: **METHOD AND SYSTEM FOR LINKING LEGACY DVC DISCS TO RELATED WEB SITES**

Transmitted herewith are the following:

Response to Notice of Non-Compliant Appeal Brief dated October 23, 2009.

10 PAGE(S) TO FOLLOW THIS COVER SHEET

**IF YOU DO NOT RECEIVE THE CORRECT NUMBER OF PAGES,
PLEASE CALL 201-421-0865.**

RECEIVED
CENTRAL FAX CENTER

1 845 268 0314

p.2

NOV 09 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Kelly, D. P. Attn. Doc. No.: CN020017US

SERIAL NO.: 10/535, 637 EXAMINER: Seto, J.K.

FILED: November 23, 2005 ART UNIT: 2446

CONFIRMATION No.: 7684

FOR: ***Method and System for Linking Legacy DVD Discs to Related Web Sites.***

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-COMPLIANT APPEAL BRIEF

Dear Sir:

In response to the Notice of Non-Compliant Appeal Brief, having a mailing date of October 23, 2009, this paper is being filed within one (1) month (up to and including November 23, 2009) of the mailing date of said Notice and Applicant requests the following be entered into the record.

November 2009

1

Response to Non-Compliant Appeal Brief
Serial No. 10/535, 637

Docket No. CN 020017US

REMARKS

The Notice of Non-Compliant Appeal Brief has been reviewed and reconsideration of the above-identified application is respectfully requested in view of the amended sections of the Appeal Brief of record submitted, herein.

In asserting that the Appeal Brief of record is non-complaint, the Notice states that the "brief does not contain a statement of the status of all claims." Boxes 2 and 10 are both checked.

Pursuant to the instructions provided in box 10 (i.e., the entire brief is not required, only the section that was found defective), Applicant submits sections III (Status of Claims) and IX (Claims Appendix), herein. Section III has been amended to refer to the status of claims 2, 12, 15-10 and 22, which were removed from consideration prior to filing the Appeal Brief. Section IX has been amended to include the last status identifiers for each of the claims.

For the amendments made to the Appeal Brief regarding the status of the claims, applicant submits that the reason for the issuance of the Notice of Non-Compliant Appeal Brief has been overcome. Entry of the amended sections and withdrawal of the Notice of Non-Compliant Appeal Brief is respectfully requested.

November 2009

2

Response to Non-Compliant Appeal Brief
Serial No. 10/535, 637

Docket No. CN 020017US

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone given below.

Respectfully submitted,
Michael E. Belk, Reg. No. 33357

Date: November 8, 2009

/Carl A. Giordano/

By: Carl A. Giordano
Attorney for Applicant
Registration No. 41,780

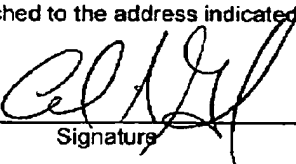
Mail all correspondence to:
Michael E. Belk, Esq.
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9643
Fax: (914) 332-0615

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being
☐ Electronically transmitted utilizing the currently available EFS;
☒ Transmitted by facsimile to 571 273 8300;
☐ Placed with the US Postal Service with First Class postage attached to the address indicated above;
on November 8, 2009.

Carl A. Giordano

Print Name



Signature

November 2009

3

Response to Non-Compliant Appeal Brief
Serial No. 10/535, 637

Docket No. CN 020017US

III. STATUS OF CLAIMS

Claims 1, 3-11, 13, 14, 21, 23-31, 33 and 38-40 have been presented for examination. All of these claims are pending, stand finally rejected, and form the subject matter of the present appeal. Claims 2, 12, 15-10 and 22 have been cancelled and are not the subject of this appeal.

November 2009

4